

MINUTES OF MEETING

HOOVER PLANNING AND ZONING COMMISSION

Date: April 11, 2016
Time: 5:30 PM
Place: Hoover Municipal Center
Present: Mr. Mike Wood, Chairman
Mr. Kelly Bakane
Mr. Sammy Harris
Mr. Mark Schroeter
Mr. Scott Underwood
Mr. John Lyda

Absent: Mr. Carl West
Mr. Allen Pate

Also Present: Mr. Bob House, House Consultants
Mr. Rod Long, City Engineer
Mr. Chris Reeves, Assistant City Engineer
Mr. Ricky Linn, Senior Fire Inspector
Ms. April Danielson, City Attorney Staff
Ms. Sharon Nelson, Landscape Architect

1. CALL TO ORDER

The meeting was called to order by Mr. Wood and the secretary had roll call at this time.

2. Mr. Wood asked Mr. Sammy Harris to give the invocation.
3. Mr. Wood asked Mr. Bakane to lead in the Pledge of Allegiance.
4. Mr. Wood stated the members of the Commission had been given copies of the minutes of March 14, 2016, meeting and asked for a motion concerning these minutes if there were no corrections or additions to be made. Mr. Lyda made a motion to approve the minutes as presented. Mr. Underwood seconded the motion. On voice vote the motion carried unanimously.
5. The following case has been continued until the May 9, 2016, Planning & Zoning meeting at the request of the applicant:

Z-0416-03 – Jonathan Belcher, Blackridge Partners LLC, is requesting to rezone approximately 1519.3 +/- acres located east of South Shades Crest Road, north of the Cahaba River, and lying in between Stadium Trace Parkway and Highway 52. Blackridge Partners, LLC, and Riverwoods Holdings, LLC, are the property owners. The property is currently zoned A-1 (Agriculture), R-1 (Single Family Residential), and NZ (Not Zoned) and is proposed to be zoned **PUD** (Planned Unit Development) and known as **Blackridge**.

CONTINUED

Mr. Wood stated if anyone present was interested in this case, it would not be discussed at this meeting and would be continued until the next meeting on Monday, May 9, 2016, at 5:30 p.m.

6. REQUESTS FOR PRELIMINARY AND/OR FINAL MAP APPROVAL:

Mr. Wood explained he would read the following subdivision cases and verified the Planning Commission had had the opportunity to review each one during the pre-meeting work session and get any questions they had answered. He asked if anyone had a question or comment to please raise their hand and that case would be moved to the end of the agenda, and the other cases would be voted on as a block. The cases presented for block vote were as follows:

(a) **S-0416-12** - Jonathan Belcher, SB Dev Corp, is requesting **Preliminary Plat** approval for **Lake Wilborn – Phase 1**, a proposed 57 lot subdivision located at the end of Stadium Trace Parkway in Trace Crossings. Property is owned by P.R. Wilborn LLC and is zoned PUD PR-1 (Planned Single Family).

APPROVED

Engineering Comments: Recommend approval.

Fire Marshal Comments: 10 fire hydrants to be installed as shown on the Preliminary Plat. A check shall be remitted to the City of Hoover in the amount of \$3,888.00 to cover the first three years rent on the 10 fire hydrants.

Mr. Jonathan Belcher was present to represent this case. Mr. Wood asked him if he was ok with the \$3,888.00. Mr. Belcher answered yes. Mr. Wood asked if there were any questions on this case. There was a question from the audience and Mr. Wood explained it would be moved to the end of the agenda.

(b) **S-0416-13** – J.R. Adams and Glenn Siddle are requesting **Final Plat** approval for **Highland Corners Block 2**, a proposed 6 (six) lot subdivision located at 1111 Al Seier Road. Sulphur Springs Land Partners LLC & New Castle Construction Inc. are the property owners. The property is zoned R-1 (Single Family District).

APPROVED

Engineering Comments: Recommend approval.

Mr. Derek Meadows, Gonzolez-Strength & Associates, was present to represent the case. Mr. Wood asked if there were any questions on this case. There were none.

(c) **S-0416-14** - Jon Rasmussen, Gonzalez-Strength and Associates, is requesting **Final Plat** approval for the **Village at Brocks Gap**, a proposed 2 (two) lot subdivision located at the intersection of Stadium Trace Parkway and Brocks Gap Parkway. Hoover Family Festival, LLC, is the property owner and the property is zoned PI (Planned Light Industrial).

APPROVED

Engineering Comments: Recommend approval.

Mr. Derek Meadows, Gonzolez-Strength & Associates, was present to represent the case. Mr. Wood asked if there were any questions on this case. There were none.

- (d) **S-0416-15** - Jonathan Belcher, SB Dev Corp d/b/a Signature Homes, is requesting **Final Plat** approval for **Sawyer Trail – Phase 1B, Resurvey Lots 403A – 408A**. The purpose of the resurvey is to reconfigure the interior lot lines for 6 (six) residential lots. 3165 Properties, LLC, is the property owner and the property is zoned PUD PR-1 (Planned Single Family District).
APPROVED

Engineering Comments: Recommend approval.

Mr. Bob Easley, AL Engineering Co., Inc., was present to represent this case. Mr. Wood asked if there were any questions or comments on this case. There were none.

Mr. Wood stated they were going to move the first subdivision case (Lake Wilborn- Phase 1) to the end of the agenda. Mr. Wood stated he would entertain a motion for cases (b), (c), and (d). Mr. Lyda made a motion to approve cases (b), (c), and (d). Mr. Bakane seconded the motion. Cases (b) and (c) were approved by all board members with the exception of Mr. Underwood who abstained from case (b). Case (d) was approved by all members except Mr. Schroeter and Mr. Harris, who abstained from this case vote.

Mr. Wood then explained they would go back to case (a) S-0416-12 – Preliminary Plat for Lake Wilborn – Phase 1. Mr. Arnold Singer, 613 Riverhaven Place, Hoover, AL, 35244, stepped to the podium to say he would like to hear a little more about the PUD as described. Mr. Singer asked if this was just a piece of it and what were some of the other uses the overall acreage would entail.

Mr. Wood asked Mr. Jonathan Belcher, 3545 Market Street, to come down and explain the plans for Lake Wilborn. Mr. Belcher explained the Wilborn Lake PUD was approximately a 400 acre plan that was approved back in 2013 and included a total of 499 homesites. Mr. Belcher stated there was about 16.8 acres of commercial property and was located off Stadium Trace Parkway.

Mr. Bob Easley showed Mr. Singer a map of Lake Wilborn. Mr. Belcher asked Mr. Singer if this was all the questions he had and told him he would be happy to meet with him after the meeting or state publicly what they were planning.

Mr. Singer stated he was trying to understand the PUD document language and how that varied from regular zoning districts. Mr. House added that the minimum lot width was 60 feet and could go to 50 feet if rear loaded. Mr. House stated these were the minimums and there were no maximums, so they could be wider or larger.

Mr. Wood added too that PUD's gave the developer the flexibility to leave some natural areas and to place the houses to where they were best situated on the property where it was not confined like R-1 zoning where you had to have 15,000 square feet per lot. Mr. Wood stated this gave them some latitude and typically made better developments.

Mr. Singer asked what the square footage would be on a typical lot regarding these 57 homes. Mr. Wood answered he didn't know if there was a typical amount. Mr. Singer asked for a range. Mr. Easley answered about 8,000 to 10,000 square foot lots.

Mr. Clay Peveler, 1820 Southpointe Drive, stepped to the podium to ask about the Lake Wilborn area and the extension of Stadium Trace Parkway plan. Mr. Peveler asked if it was only going to be a two-lane from where the parkway ended now going toward the CSX railroad. Mr. Wood answered yes, this plan called for a two-lane road. Mr. Peveler asked too if they knew if it would tie in to the Black Creek development pass the CSX railroad. Mr. Wood stated he felt that was the intent. Mr. Peveler asked too about the sewage disposal. Mr. Wood stated this would be under the Jefferson County sewer system on site.

Mr. Dan Carmichael, 2908 Warrington Road, asked what this development was going to do with Elvira Road. Mr. Long, City Engineer, stated that Elvira Road came up to the railroad track on the south side of this parcel. Mr. Long stated he didn't know if it had an official right-of-way that extended beyond that point, but thought it went into more of a trail at that point. Mr. Bob Easley, AL Engineering Co., stated that Elvira Road went to the railroad track and never had any right-of-way on the eastern side or the Wilborn side and was not a dedicated road on the other side of Elvira. Mr. Wood asked Mr. Carmichael if this answered his question and he answered it did.

Mr. Paul Braswell stated his family had owned property on Elvira Road since 1960. Mr. Braswell stated he looked forward to this development, but the only thing was development needed to be done right. Mr. Braswell was concerned about the two-lane road handling 2,000 people and asked Mr. Lyda if he felt this would handle them. Mr. Lyda answered he was not an expert and that was why they had traffic engineers to help them understand. Mr. Lyda stated that Mr. Rod Long, City Engineer, could better address the traffic studies. Mr. Long stated that rule of thumb on traffic generation in residential areas was 10 (ten) trips per day per unit and he believed they were talking 499 in Lake Wilborn and 600 in Blackridge so 1100 units times 10 was 11,000 per day and he felt a two-lane road would carry 11,000 pretty easily. Mr. Long stated some of Blackridge would go south and ultimately that would pull off 10 to 20% of that volume going south.

Mr. Braswell emphasized again his concern about the traffic.

Mr. Singer stepped to the podium again to address the traffic load. He asked what letter rating it would be. Mr. Long stated he didn't have that calculation done at this time, but could give him some general ranges. Mr. Long stated that South Shades Crest Road now carried 18,000 to 20,000 cars per day and that was pretty bad and would probably be an F. Mr. Long stated the capacity was typically in the 8 to 10,000 range for a two lane and would probably be in the C-D level, but with proper turn lanes at your intersections you could carry 11 to 12,000 very successfully on a two-lane road.

Mr. Singer stated he felt keeping this to a two-lane road would be a public safety issue, especially with the Blackridge development, the new sportsplex coming and several schools that were located in the area.

Mr. Wood asked if there were any other questions or comments. There were none. Mr. Wood asked for a motion. Mr. John Lyda made a motion to approve. Mr. Underwood seconded the motion. On voice vote, the motion carried with all members except for Mr. Harris and Mr. Schroeter who abstained from the vote.

7. **C-0416-05** – William Gary Beard is requesting **Conditional Use** approval for an event facility with live entertainment for weddings, corporate events and other similar functions and for the sale of on premises alcohol at Park Crest, 2034 Little Valley Road. Mr. William Gary Beard, Park Crest Properties, LLC, is the property owner and the property is zoned C-2 (Community Business District).

APPROVED

Mr. Gary Beard, 112 Langston Place, Hoover, AL, 35242, was present to represent this case. Mr. Beard stated they had set out to put an event facility in the city, one that was a little larger size that would be in large demand. Mr. Beard stated that it was a hidden facility on the top of the hill where the old Grammas Restaurant was located. Mr. Beard stated they would be doing weddings, several types of parties, and had a lot of people coming to them for events.

Mr. Wood asked him to describe the live entertainment. Mr. Beard stated there were receptions and parties and people wanted to bring in local bands to play until 10:30 or 11:00 at night in the facility. Mr. Wood asked if it was inside. Mr. Beard answered yes, but they did have some gardens with a stage where a band could set up outside, but most would probably be inside.

Mr. Wood asked if the plan met landscaping requirements. Mr. House answered yes and he had brought a map and site plan although this wasn't a site plan review. This case was only for the live entertainment and alcohol. Mr. House stated they would still have to get their final inspections. Mr. House stated that what Mr. Beard was planning to do was a permitted use in C-2 (Community Business District). Mr. House stated again that the Planning Commission tonight was just looking at the two Conditional Uses for the live band and the sale of alcoholic beverages.

Mr. Wood asked the Secretary if the applicant had been checked out. Ms. Bradstreet answered he had been checked out.

Mr. Wood asked if there were any questions from anyone on the Planning Commission. There were none. Mr. Wood asked if there were any questions from anyone in the audience.

Mr. Kiritkumar Parekh, Vestavia Hills, AL, stated he was a next door neighbor to Mr. Beard. He stated their properties were adjacent and he presently had his property up for sale. Mr. Parekh stated if they were allowed to have the live band and all these things, he felt it would devalue his property. He voiced his objection to this case.

Mr. Beard stated they had been operating for several years as far as a facility and stated there was a large apartment complex right across from them and as far as he knew, had received no objections as far as the noise from them. Mr. Beard stated that with the new building, the noise would be contained inside. Mr. Wood asked if he would like to propose a time for cutting off the band if it was outside. Mr. Beard asked about the noise ordinance. Mr. House stated there was a noise ordinance that addressed not so much time but the amount of decibels off the premises at any time. Mr. Beard told them he had been shutting the bands down around 11:00 to 11:15. He stated he had assumed this was because of the noise ordinance and had not let them go until midnight.

Mr. Harris asked if they should put a timeframe on the events. Mr. Harris asked Mr. House again if there wasn't a timeframe on a city ordinance. Mr. House answered there was not. Mr. House stated the noise ordinance was for noise any time of day and if they were concerned about time of operation and noise after a certain time, they needed to put that in the motion.

Mr. Wood asked if there was any more discussion. There was none. Mr. Harris made a motion to approve the live entertainment and alcohol, but felt the outdoor live entertainment should be cut off no later than midnight. Mr. Lyda seconded the motion. On voice vote, the motion was approved unanimously.

There was no further discussion and the meeting was adjourned.

Vanessa Bradstreet
Zoning Assistant